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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/782,444	02/19/2004	Anthony Edward Martinez	8185P029	5166
76073 7590 12/23/2008 InfoPrint Solutions/ Blakely 1279 Oakmead Parkway Sunnyvale, CA 94085-4040				
EXAMINER THOMAS, ASHISH				
ART UNIT		PAPER NUMBER		
2625				
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12/23/2008		PAPER		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/782,444

**Applicant(s)**

MARTINEZ, ANTHONY EDWARD

**Examiner**

ASHISH K. THOMAS

**Art Unit**

2625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 11/6/2008 has been entered.

### ***Response to Arguments***

2. Applicant's arguments with respect to the independent claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ogaki(U.S. 6,771,383) in view of Douglin(U.S. 6,619,695) and further in view of Mei(U.S. 6,236,831)

Regarding claim 1, Ogaki teaches a method for processing a separator page used for separating print jobs being output from a printer system(**Column 4, lines 44-48**

**teaches the creation of a separator page.), said method comprising: receiving an input separator page for use in identifying a second print job(Column 8, lines 1-10 details a scenario wherein a separator sheet is used for each print document. This implies the existence of the separator page for a second print job.); and printing the second print job information on a machine-readable region of said input separator page thereby providing a second print job separator page. (Figure 13 illustrates that a separator page is printed with each print job. This implies the existence of the second print job separator page.)**

But the Ogaki reference is silent on determining if said input separator page contains first print job information indicating use of the input separator page as a first print job page; and obscuring said first print job information if said first print job information is determined to be present on said input separator page.

Douglin, on the other hand, teaches determining if said input separator page contains first print job information indicating use of the input separator page as a first print job page; and obscuring said first print job information if said first print job information is determined to be present on said input separator page. **(Column 3, lines 5-28 discloses a re-usable fax cover sheet that is used for a plurality of jobs. Note that the coversheet reads on the separator page. This reference also teaches a step that erases prior job information and puts in the new job information on the coversheet. )**

Therefore, it would have been obvious for one of ordinary skill in the art, at the time of the present invention, to modify Ogaki with Douglin. The Ogaki/Douglin

combination teaches reusing a page for more than one jobs by obscuring the prior job data.

The motivation behind combining Ogaki and Douglin is to prevent the wasteful usage of paper by re-using the same separator page for a plurality of print jobs.

Still, the Ogaki/Douglin combination fails to teach an obscuring step wherein prior data is blackened out and replaced with the newer data.

Mei, on the other hand, teaches an obscuring step wherein prior data is blackened out and replaced with the newer data. **(Column 2, lines 28-36 teaches a scanning step that reads image marks on a sheet to be recycled. Then, the Mei reference uses an erasing material such as a toner over the marks to be erased. This reads on the concept of blackening out data.)**

Therefore, it would have been obvious for one of ordinary skill in the art, at the time of the present invention, to modify Ogaki and Douglin with Mei to render obvious the method claimed in claim 1.

The motivation behind this modification is that blackening out the data will leave little room for any misreading. The black out process will get rid of any prior job information. So, a clear image is presented to the user.

Regarding claim 2, Mei further teaches the method as set forth in claim 1 wherein said determining includes obtaining a bit map image of said input separator page. **(Column 2, lines 38-45 teaches a scanning device that reads a page; this implies the existence of the bit mapped image.)**

Regarding claim 3, Mei further teaches the method as set forth in claim 1 wherein said determining is accomplished by scanning said input separator page using an optical scanning device. **(Scanning device 104, stated in column 2, lines 38-45, accomplishes this.)**

Regarding claim 4, Ogaki additionally teaches the method as set forth in claim 1 wherein said determining is accomplished by obtaining a photo image of said input separator page. **(Column 2, lines 38-45)**

Regarding claim 5, Ogaki additionally teaches the method as set forth in claim 1 and further including: printing said second print job; assembling said second print job with said second print job separator page; and outputting said second print job with said second print job separator page from said printer. **(Note that column 8, lines 7-15 teaches that a separator page is attached to each print job, and the combined documents are outputted accordingly.)**

Regarding claim 6, Douglin further teaches the method as set forth in claim 1 and further including: inputting said second print job separator page containing said second print job information for receiving by said printer system for processing a third input separator page to be used to identify a third print job. **(Column 3, lines 5-28 discloses a re-usable sheet. This implies more than one jobs, so a second and third jobs are established in the teaching)**

Regarding claim 7, it is rejected in the same manner as claim 1. Note that claim 7 divulges a storage medium that stores a machine readable code that corresponds to the method stated in claim 1.

Regarding claim 8, it is rejected in the same manner as claim 2. Note that claim 8 divulges a storage medium that stores a machine readable code that corresponds to the method stated in claim 2.

Regarding claim 9, it is rejected in the same manner as claim 3. Note that claim 9 divulges a storage medium that stores a machine readable code that corresponds to the method stated in claim 3.

Regarding claim 10, it is rejected in the same manner as claim 4. Note that claim 10 divulges a storage medium that stores a machine readable code that corresponds to the method stated in claim 4.

Regarding claim 11, it is rejected in the same manner as claim 5. Note that claim 11 divulges a storage medium that stores a machine readable code that corresponds to the method stated in claim 5.

Regarding claim 12, it is rejected in the same manner as claim 6. Note that claim 12 divulges a storage medium that stores a machine readable code that corresponds to the method stated in claim 6.

Regarding claim 13, it is rejected in the same manner as claim 1. Note that claim 13 claims a printing system that corresponds to the method stated in claim 1. Claim 13 slightly differs from claim 1 by explicitly pointing out an image acquisition device. Note that column 7, lines 34-50 of Ogaki teaches an image reading section. This image reading section reads on the image acquisition device stated in the claim.

Regarding claim 14, it is rejected in the same manner as claim 2. Note that claim 14 claims a printing system that corresponds to the method stated in claim 2.

Regarding claim 15, it is rejected in the same manner as claim 3. Note that claim 15 claims a printing system that corresponds to the method stated in claim 3.

Regarding claim 16, it is rejected in the same manner as claim 4. Note that claim 16 claims a printing system that corresponds to the method stated in claim 4.

Regarding claim 17, it is rejected in the same manner as claim 5. Note that claim 17 claims a printing system that corresponds to the method stated in claim 5.

Regarding claim 18, it is rejected in the same manner as claim 6. Note that claim 18 claims a printing system that corresponds to the method stated in claim 6.

#### ***Conclusion***

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ASHISH K. THOMAS whose telephone number is (571)272-0631. The examiner can normally be reached on 9:00 a.m. - 5:30 p.m. EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David K. Moore can be reached on 571-272-7437. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ashish K Thomas/  
Examiner, Art Unit 2625

/David K Moore/  
Supervisory Patent Examiner, Art Unit 2625